

**FIFTY-NINTH DAY**

(Tuesday, April 27, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Reports of Standing Committees**

Senator Lanning submitted the following reports:

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 286, have had the same under consideration, and I am instructed to report it back to the Senate favorably with the recommendation that it do pass and be mimeographed and not otherwise printed.

LANNING, Chairman.

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 473, have had the same under consideration, and I am instructed to report it back to the Senate favorably with the recommendation that it do pass and be not printed.

LANNING, Chairman.

April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Fi-

nance to whom was referred H. B. No. 247, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee substitute pass in lieu thereof and be mimeographed.

LANNING, Chairman.

April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 315, have had the same under consideration, and I am instructed to report it back to the Senate favorably with the recommendation that it do pass and be mimeographed and not otherwise printed.

LANNING, Chairman.

April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 416, have had the same under consideration, and I am instructed to report it back to the Senate favorably with the recommendation that it do pass and be not printed.

LANNING, Chairman.

April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 244, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee substitute pass in lieu thereof and be mimeographed.

LANNING, Chairman.

Senator Vick submitted the following reports:

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 643, have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred S. B. No. 357, have had the same under consideration, and I am instructed to report back to the Senate with recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 318, have had the same under consideration, and I am instructed to report back to the Senate with recommendation that it do pass and be not printed.

VICK, Chairman.

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 317, have had the same under consideration, and I am instructed to report back with recommendation that it do pass and be not printed.

VICK, Chairman.

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 574, have had the same under consideration, and I am instructed to report back to the Senate with recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 718, have had the same under consideration, and I am instructed to report back to the Senate with recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 553, have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed.

VICK, Chairman.

Senator Metcalfe submitted the following report:

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Military Affairs to whom was referred H. C. R. No. 110, have had same under consideration, and are sending it back to the Senate with the recommendation that it do pass as amended and be not printed.

METCALFE, Chairman.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the following House conferees have been appointed on S. B. No. 144: Proffer, Bundy, Price, Huffman, and Burkett.

House appointed the following conferees on H. B. No. 5: Moore of Fanin, Cato, Avant, Connelly, and Evans.

The House has adopted the following resolutions:

H. C. R. No. 109, Relating to claim of the State of Oklahoma for reimbursement for loss sustained on account of exemptions of Indian lands, oil and gas produced from such lands and also the income therefrom, from State taxation.

H. C. R. No. 115, Authorizing the State Board of Control to purchase equipment to re-equip the woodworking shop of the Texas Technological College.

H. C. R. No. 116, Authorizing the Enrolling Clerk of the House of Representatives to make certain corrections in H. B. No. 630.

H. C. R. No. 118, Authorizing the Enrolling Clerk of the House to make certain corrections in H. B. No. 660.

S. C. R. No. 19, Granting and giving consent of the Legislature of the State of Texas to the American National Bank of Austin, Texas, a corporation to sue the State of Texas in any court in the State of Texas having jurisdiction over the subject matter upon the claim of said American National Bank of Austin, Texas, growing out of moneys and funds furnished by the said American National Bank of Austin, Texas, to complete the construction of the Auditorium Building at Agriculture and Mechanical College of Texas.

S. C. R. No. 21, Authorizing Capital National Bank of Austin to sue the State.

S. C. R. No. 28, Authorizing S. J. Layne to sue the State.

The House has tabled H. B. No. 329 by a vote of 61 yeas, and 60 nays.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Senate Bill 360 on First Reading

The following local bill was introduced, read first time, and referred to the committee indicated:

By Senator Moore:

S. B. No. 360, A bill to be entitled "An Act to amend Section 2 of Chapter 130, Acts, 1941, Forty-seventh Legislature, page 181, concerning Water Control and Improvement Districts located wholly in counties having a population in excess of five hundred thousand (500,000) inhabitants according to the last preceding or any future Federal Census, and amending Section 10 of Chapter 129, Acts, 1941, Forty-seventh Legislature, page 177, concerning Fresh Water Supply Districts located wholly in counties having a population in excess of five hundred thousand (500,000) inhabitants according to the last preceding or any future Federal Census, by suspending until the cessation of hostilities of the present war the requirements therein contained that Articles 1667 through 1673, Revised Civil Statutes of Texas, 1925,

as amended, apply to the accounting of such districts and the record of purchases thereof, and reenacting said statutes without said provisions; and declaring an emergency."

To Committee on Commerce and Manufacturing.

#### Senate Bill 361 on First Reading

Senator Stone moved that the rule prescribing limitations relative to the introduction of bills after the first 60 calendar days of the session be suspended, to permit the introduction of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Stone:

S. B. No. 361, A bill to be entitled "An Act to amend Article 4296, Revised Civil Statutes of 1925; and declaring an emergency."

To Committee on Civil Jurisprudence.

#### Senate Resolution 84

Senator Chadick offered the following resolution:

Whereas, Mr. D. B. Welch of Elgin is a visitor in the Capitol; and

Whereas, Mr. Welch is a distinguished citizen of this State and a friend of several Members of this body; therefore, be it

Resolved by the Senate, That Mr. D. B. Welch be given a hearty wel-

come and extended the privileges of the floor for the day.

CHADICK,  
MOORE,  
MORRIS,  
BULLOCK,  
LANE.

The resolution was read and was adopted.

#### Senate Concurrent Resolution 50

Senator Aikin offered the following resolution:

S. C. R. No. 50, Authorizing certain corrections in S. B. No. 61.

Whereas, It has been discovered that several errors were made in S. B. No. 61, which has been passed by the Senate and the House; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Enrolling Clerk of the Senate be directed to insert "heretofore" after the word "been" and before the word "amended" in the caption of said bill; that a comma be inserted after the word "supervision" and before the word "examination" in Section 9; that a period be inserted after the word "state" and before the word "borrowers" in "Section 38, Subdivision '2'"; that the letter "s" be taken out of the word "shareholders" in Subdivision "2"; that a comma be inserted after the word "loans" and before the words "and may" in Subdivision "2"; in Subdivision "5" that the word "such" be inserted after "which" and before "loans"; and that the comma be deleted after the word "notes" and before the words "or other obligations issued," in Subsection "5."

The resolution was read, and by unanimous consent, it was considered immediately, and was adopted.

#### Messages from the Governor

The following messages were received from the Governor:

Austin, Texas,  
April 27, 1943.

To the Members of the Forty-eighth Legislature:

I am hereby returning to the House of Representatives H. B. No. 457 which is disapproved by me.

My objections to this bill arise from a belief that it is unconstitu-

tional. It appears to me to be clearly in conflict with Section 56, Article III, of the Constitution, which prohibits the Legislature from passing any local or Special law regulating the affairs of counties, cities, towns, wards or school districts.

Respectfully submitted,  
COKE R. STEVENSON,  
Governor of Texas.

Austin, Texas,  
April 27, 1943.

To the Members of the Forty-eighth Legislature:

I am hereby returning to the House of Representatives H. B. No. 481 which is disapproved by me.

My objections to this bill arise from a belief that it is unconstitutional. It appears to me to be clearly in conflict with Section 56 of Article III of the Constitution, which prohibits the Legislature from passing any local or Special law regulating the affairs of counties, cities, towns, wards or school districts.

Respectfully submitted,  
COKE R. STEVENSON,  
Governor of Texas.

Austin, Texas,  
April 27, 1943.

To the Members of the Forty-eighth Legislature:

I am hereby returning to the House of Representatives H. B. No. 297 which is disapproved by me

My objections to the bill arise from a belief that it is unconstitutional. It appears to me to be clearly in conflict with Section 56 of Article III of the Constitution, which prohibits the Legislature from passing any local or Special law regulating the affairs of counties, cities, towns, wards or school districts.

The purpose of this bill appears to be good. I note further that the author, Honorable George Parkhouse, followed the provisions of Section 57, Article III, in advertising it as a local or Special law. He is to be commended for advising his constituents of the proposed legislation. Notwithstanding the advertising, however, it is my belief that the bill is unconstitutional and, therefore, I cannot give it my approval.

Respectfully submitted,  
COKE R. STEVENSON,  
Governor of Texas.

**Report of Standing Committee**

Senator Moore, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
April 22, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Commerce and Manufacturing to whom was referred S. B. No. 360, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIVERS, Chairman.

**Report of Conference Committee on Senate Bill 178**

Senator Moore submitted the following report:

Hon. John Lee Smith, President of the Senate,

Hon. Price Daniel, Speaker House of Representatives.

Sirs: We, the Members of your Conference Committee appointed to adjust the differences between the Senate and the House on S. B. No. 178, have met and recommend that S. B. No. 178 be passed in the form attached hereto.

MOORE,  
CHADICK,  
GRAVES,  
MAURITZ,  
MARTIN,

On the Part of the Senate;

WINFREE,  
BLANKENSHIP,  
HULL,  
HOWARD,  
GANDY,

On the Part of the House.

S. B. No. 178, A bill to be entitled "An Act providing for the establishment by purchase or lease, and the maintaining of a County Law Library in certain counties; providing for the creation of a County Law Library Fund; providing for the collection of costs in civil cases for the benefit of such fund, and for the administration of such fund; providing for the appointment of a custodian or librarian and assistants, and for the payment therefor out of such fund; providing that the Commissioner's Court shall provide space and housing for such

library, and make rules for the use thereof; providing for the management of such library by a committee under the approval of the Commissioner's Court; providing a savings and severability clause; repealing H. B. No. 569, Acts Regular Session, 47th Legislature, and all laws in conflict herewith to the extent of the conflict only; and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

Section 1. For the purpose of establishing and maintaining a 'County Law Library' for each county coming within the terms of this Act there shall be charged as costs, and taxed, collected, and paid as other costs, the sum of One (\$1.00) Dollar in each civil case, except suits for delinquent taxes, hereafter filed in every County or District Court, in each county having eight (8) or more District Courts and three (3) or more County Courts including County Courts at Law. Provided, however, that in no case shall the county be liable for said cost in any civil cases. Such costs shall be collected by the Clerk of the respective Courts, and when collected shall be paid to the County Treasurer, to be kept by him in a separate fund to be known as the 'County Law Library Fund'; such fund shall be administered by the Commissioner's Court for the purchase, lease or maintenance of a law library, and furniture and equipment necessary thereto in a place convenient and accessible to the Judges and litigants in such courts, and for the payment of salaries to employees to be appointed by the Commissioners Court; the Commissioners Court of counties affected by this Act shall make rules for the use of books in said library, and shall provide suitable space and shelving for housing same.

The salary of the custodian or librarian and such other employees or assistants as may be necessary shall be fixed by the Commissioners Court and shall be paid out of the funds collected under this Act.

The Commissioners Court of such counties may vest the management of such library in a committee to be selected by the Bar Association of such county, but the acts of such committee shall be subject to the approval of the Commissioners Court.

Sec. 2. The provisions of this Act may be adopted by any county in this State having five (5) or more District Courts, by the passage of a Resolution to that effect by the Commissioner's Court of such county at a Regular Session thereof with all Members of such Court present.

Sec. 3. If any part or parts of this Act shall be held unconstitutional, such unconstitutionality shall not effect the validity of the remaining parts of this Act. The Legislature hereby declares that it would have passed the remaining parts of this Act if it had known that such invalid part or parts thereof would be so declared unconstitutional.

Sec. 4. House Bill 569, being Chapter 317, Acts of the Regular Session of the 47th Legislature is repealed hereby. All other laws or parts of law in conflict herewith are repealed to the extent of such conflict only.

Sec. 5. The fact that in counties having eight (8) or more District Courts and three (3) or more County Courts there is a wide variety in the types of litigation in such courts, and that to properly administer justice, the courts must have available adequate law libraries for their use and for the use of lawyers presenting cases to the courts, and the further fact that such numbers of courts exist and will exist only in the more populous counties and in congested centers of population of the State, where traffic conditions, and distances between law libraries of individuals and law firms and the Court House make it impracticable, if not impossible, to transport necessary law books to the Court House for the use of the judges and the lawyers in presenting cases to them in the trial of the great variety of cases tried in such courts, and the further fact that the library facilities in such counties are wholly inadequate, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days, be suspended, and that this Act take effect from and after its passage, and such Rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Question—Shall the report be adopted?

The report was adopted by the following vote:

#### Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### Senate Resolution 87

Senator Hazlewood offered the following resolution:

Be It Resolved by the Senate, That the House of Representatives be requested to return to the Senate H. B. No. 9, for correction.

The resolution was read; and on motion of Senator Hazlewood and by unanimous consent, it was considered immediately.

The resolution was adopted.

#### Reference of House Concurrent Resolutions

The following resolutions received from the House today, were laid before the Senate, read first time, and referred to the committees indicated.

H. C. R. No. 109, to Committee on Public Debts, Claims and Accounts.

H. C. R. No. 115, to Committee on Finance.

#### House Concurrent Resolution 116

On motion of Senator Winfield, and, by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 116, Authorizing certain corrections in H. B. No. 630.

The President laid the resolution before the Senate, and it was read and was adopted.

#### House Concurrent Resolution 118

On motion of Senator Winfield, and, by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 118, Authorizing certain corrections in H. B. No. 660.

The President laid the resolution before the Senate, and it was read and was adopted.

#### House Concurrent Resolution 117

On motion of Senator Martin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 117, Authorizing certain corrections in H. B. No. 684.

The President laid the resolution before the Senate, and it was read and was adopted.

#### Report on House Concurrent Resolution 115

On motion of Senator Aikin, and by unanimous consent, the Chairman of the Committee on Finance was authorized to report H. C. R. No. 115 without having a meeting of the committee to consider it.

(Senator Lanning in the Chair.)

#### Committee Substitute Senate Bill 169 on Second Reading

The Presiding Officer laid before the Senate as a special order for this hour on its passage to engrossment (the bill having been read second time on April 19, 1943):

C.S.S.B. No. 169, A bill to be entitled "An Act to amend Section 21 of Article 695c, of the Revised Civil Statutes of the State of Texas of the year 1925 codification, Chapter 8, under Title 20, being the Public Welfare Act of 1941, also being H. B. No. 611 passed by the Regular Session of the Forty-seventh Legislature of the State of Texas, by adding a new Section thereto to be known as Subsection 21a providing that the Department of Public Welfare shall not consider income derived in payment of labor actually performed or service rendered by the recipients of old age assistance where the total amount for any calendar year does not exceed \$250.00; and declaring an emergency."

(President in the Chair.)

(Senator Brownlee in the Chair.)

Senator Martin offered the following amendment to the bill:

Amend S. B. No. 169 by adding after the word "year" in line 63, Sec-

tion 21a, of printed bill, the following:

"provided said recipient of old age pension, reports his said employment in writing to the local office of Public Welfare giving the name and address of his employer or employers at the end of each month and giving the amount of his earnings during the month just passed."

(President in the Chair)

The amendment was adopted by the following vote:

#### Yeas—19

Brownlee	Moffett
Bullock	Moore
Cotten	Ramsey
Hazlewood	Shivers
Lane	Stone
Lanning	Sulak
Lovelady	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

#### Nays—6

Aikin	Jones
Chadick	Morris
Graves	Vick

#### Absent

Beck

#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

Senator Cotten offered the following amendment to the bill:

Amend S. B. No. 169 by adding after the word "rolls" in line 57, page 1, in Section 21a the following:

"or who may hereafter be placed on said rolls."

And amend caption to conform to all amendments.

COTTEN,  
SULAK.

The amendment was adopted.

The bill was passed to engrossment.

#### Record of Vote

Senator Moore asked to be recorded as voting "nay" on the passage of the bill to engrossment.

**Committee Substitute Senate Bill 169  
on Third Reading**

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 169 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Metcalfe
Chadick	Moffett
Cotten	Shivers
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Winfield
Lanning	York

Nays—4

Moore	Ramsey
Morris	Weinert

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage

The bill was read third time and was passed by the following vote:

Yeas—22

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Metcalfe
Chadick	Moffett
Cotten	Shivers
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Winfield
Lanning	York

Nays—4

Moore	Ramsey
Morris	Weinert

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 230, A bill to be entitled "An Act to regulate every agency of the State heretofore or hereafter created by the Legislature to carry out the purpose of the Conservation Amendment to the Constitution of Texas, being Section 59, Article XVI; etc.; and declaring an emergency."

H. C. R. No. 99, Granting W. H. Collins permission to sue the State of Texas.

H. C. R. No. 106, Granting Roy Wadsworth permission to sue the State.

H. C. R. No. 103, Granting C. H. C. Anderson permission to sue the State.

H. C. R. No. 93, Granting permission to the Justin Leather Goods Co to sue the State.

H. C. R. No. 121, Authorizing the Enrolling Clerk of the House to make corrections in H. B. No. 578.

H. B. No. 320, A bill to be entitled "An Act to amend Article 7064, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. C. R. No 94, Granting permission to Yancy Barron of Ellis County to sue the State.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

**House Bill on First Reading**

The following House bill, received from the House today, was laid before the Senate, read first time, and referred to the committee indicated:

H. B. No. 320, to Committee on Insurance.

**House Concurrent Resolution 110**

On motion of Senator Morris, and by unanimous consent, the regular order of business was suspended to



take up for consideration at this time:

H. C. R. No. 110, Petitioning the Congress and the President to heed advice of commanding officers of the United States armed forces.

The President laid the resolution before the Senate and it was read second time.

Senator Metcalfe offered the following (committee) amendment to the resolution:

Amend H. C. R. No. 110 by striking out all of the 5th whereas clause

The amendment was adopted.

The resolution as amended was adopted.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills and resolutions:

S. C. R. No. 45, Relating to Federalization of the Texas Unemployment Compensation Commission and to the salaries of State and Federal employees engaged in Texas in employment service duties.

H. B. No. 52, A bill to be entitled "An Act to amend Chapter 7, Title 93 of the Revised Civil Statutes of Texas of 1925, as amended, pertaining to weights and measures, by amending Article 5734; repealing weights per bushel, barrel, and cubic yard for certain commodities; defining the terms 'ton' and 'cord'; describing the method for selling and measuring wood; repealing Article 5735 and all other laws in conflict herewith; and declaring an emergency."

H. B. No. 410, A bill to be entitled "An Act to amend Article 1349 of the Revised Civil Statutes of the State of Texas of 1925, relating to the employment or use of the stock, means, assets and other property of corporations, and declaring for what purposes the same may be used; etc.; and declaring an emergency."

H. C. R. No. 119, Providing for a joint session April 28 at 11:30 a. m. to hear the Hon. Sam Rayburn.

#### Reference of House Concurrent Resolutions

The following resolutions, received from the House today, were laid before the Senate, read first time, and referred to the committees indicated.

H. C. R. No. 99, to Committee on State Affairs.

H. C. R. No. 106, to Committee on State Affairs.

H. C. R. No. 103, to Committee on State Affairs.

H. C. R. No. 94, to the Committee on State Affairs.

H. C. R. No. 93, to the Committee on State Affairs.

#### Senate Bill 172 on Second Reading

The President laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 172, A bill to be entitled "An Act creating the 'Texas State Textbook Committee' providing the qualifications and terms of office for the members of said committee, providing for meetings of said committee, establishing and creating the duties of said committee, providing for adoption of multiple lists of textbooks for use in the public schools of the State, providing for the selection and purchase of textbooks from the adopted multiple lists by proper school authorities, providing for the compensation of the members of said committee, providing for penalty for violation of terms of Act, repealing all laws or parts of laws in conflict, providing that any partial invalidity of this Act shall not effect other parts hereof; and declaring an emergency."

The bill was read second time.

Senator Martin raised a point of order against further consideration of the bill on the ground that the House has defeated a bill containing the same substance.

The President sustained the point of order, the complete text of his ruling being as follows:

"The Chair holds the point of order to be good for the following reasons: The substance of the bills are identical, the purpose of both bills being to create a State Textbook Committee, and providing for the qualifications and terms of office for the members of said committee, and further providing for the adoption of multiple lists of text books in this State. The provisions of the House bill as tabled contain all these provisions which in fact are the substance of the Senate bill."

## Senate Resolution 88

Senator York, by unanimous consent, offered at this time the following resolution:

Whereas, George Fridel, young son of Mrs. Ida Fridel of Benchley, Texas, is an outstanding young American; and

Whereas, George Fridel has three brothers in the Armed Services; and

Whereas, This fine young man contributes much to the war effort, in that he is a leader in each scrap drive and uses a large amount of his spending money for war stamps; and

Whereas, He lends his services to the people of his community in helping disabled persons read letters from and write letters to their relatives in the Armed Forces; and

Whereas, This exceptional young man is an excellent scholar and devout Catholic; and

Whereas, With young people of the type of George Fridel, the nation need never fear for the future; now, therefore, be it

Resolved, That the Senate of Texas acknowledge the outstanding character of one of the sons of the State of Texas and the outstanding efforts he has made toward the preservation of future freedom by having a copy of this Resolution spread upon the pages of the Senate Journal today; and, be it further

Resolved, That the Secretary of the Senate be instructed to send George Fridel of Benchley, Texas a copy of this Resolution under his seal.

The resolution was read; and on motion of Senator York, and by unanimous consent, it was considered immediately.

The resolution was adopted.

## Senate Bill 362 on First Reading

Senator Chadick moved that the rule prescribing limitations relative to the introduction of bills after the first 60 calendar days of the session be suspended, to permit the introduction of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Cotten
Beck	Graves
Brownlee	Hazlewood
Bullock	Jones
Chadick	Lane

Lanning	Ramsey
Lovelady	Shivers
Martin	Stone
Mauritz	Sulak
Metcalf	Vick
Moffett	Weinert
Moore	Winfield
Morris	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Chadick:

S. B. No. 362, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, whether created by General or Special Law or by County Boards of Trustees; providing this Act shall not validate the organization or creation of any district, or consolidation or annexation of any district in or to such district where the same is now involved in litigation or where suit or litigation is filed with reference thereto within forty-five (45) days after the effective date of this Act; validating the acts of said County Boards of Trustees and Boards of Trustees of such districts; validating bond assumption elections and all bonds voted, authorized and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; authorizing and empowering all school districts mentioned in this Act to levy, assess, and collect the same rate heretofore authorized or attempted to be authorized by any act or acts of said districts, or by any Act of the Legislature; making certain exemptions; providing a saving clause; and declaring an emergency."

To Committee on Civil Jurisprudence.

**Reports of Standing Committees**

By unanimous consent, the following reports were submitted at this time:

Committee Room,  
Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred H. B. No. 713, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

STONE, Chairman.

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Towns and City Corporations to whom was referred H. B. No. 358, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JONES, Chairman.

**Recess**

Senator Lanning moved that the Senate adjourn until 10 o'clock a. m. tomorrow.

Senator Lovelady moved that the Senate recess to 2:30 o'clock p. m. today.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

**Yeas—13**

Beck	Metcalf
Brownlee	Moore
Cotten	Ramsey
Lane	Weinert
Lanning	Winfield
Martin	York
Mauritz	

**Nays—13**

Aikin	Moffett
Bullock	Morris
Chadick	Shivers
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lovelady	

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

The motion to recess prevailed; and the Senate, accordingly, at 12:30 o'clock p. m., recessed until 2:30 p. m. today.

**Afternoon Session**

The Senate met at 2:30 o'clock p. m. and was called to order by the President.

**Reports of Standing Committees**

Senator Weinert, by unanimous consent, submitted the following reports at this time:

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred H. B. No. 668, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

WEINERT, Chairman.

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred H. B. No. 382, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

WEINERT, Chairman.

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred S. B. No. 361, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

WEINERT, Chairman.

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred H. B. No. 709, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

WEINERT, Chairman.

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred S. B. No. 362, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

#### Senate Bill 6 on Second Reading

On motion of Senator Graves, and by unanimous consent, the regular order of business was suspended to take up for further consideration at this time (the bill having been read second time and tabled subject to call on April 19, 1943):

S. B. No. 6, A bill to be entitled "An Act to amend Article 4769, Revised Civil Statutes of 1925, as thereafter amended; and declaring an emergency."

The President laid the bill before the Senate on its passage to engrossment.

The bill was passed to engrossment.

#### Senate Bill 6 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Lane
Brownlee	Lanning
Bullock	Lovelady
Chadick	Martin
Cotten	Mauritz
Graves	Moffett
Hazlewood	Morris
Jones	Ramsey

Shivers  
Sulak  
Vick

Winfield  
York

Absent

Beck  
Metcalf  
Moore

Stone  
Weinert

Absent—Excused

Fain  
Formby  
Kelley

Lemens  
Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Aikin	Mauritz
Brownlee	Metcalf
Bullock	Moffett
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lanning	Vick
Lovelady	Winfield
Martin	York

Nays—3

Chadick  
Lane

Morris

Absent

Beck  
Moore

Weinert

Absent—Excused

Fain  
Formby  
Kelley

Lemens  
Spears

#### Senate Bill 262 on Second Reading

On motion of Senator Shivers, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 262, A bill to be entitled "An Act authorizing the creation of the office of County Purchasing Agent in all counties of this State of more than one hundred forty thousand (140,000) and less than two hundred twenty thousand (220,000) inhabitants according to the last preceding or any future Federal Census, providing for the appointment of such County Purchasing Agent, prescribing his duties and fixing his compensation, prescribing the procedure for County Purchases of equipment, materials, and supplies, together with repairs for the same, prescribing a

penalty for the violation of this Act, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Shivers offered the following amendments to the bill:

(1)

Amend S. B. No. 262 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. In all counties in this State having a population in excess of one hundred and forty thousand (140,000) according to the last preceding Federal Census or any future Federal Census the county commissioners in such counties shall each receive a salary of Forty-eight Hundred (\$4,800) Dollars per annum and said salary shall be paid in equal monthly installments, three-fourths (3/4) out of the Road and Bridge Fund and one-fourth (1/4) out of the General Fund of such counties.

"Sec. 2. In all counties described in Section 1 hereof where more than 50,000 members of the armed forces of the United States are stationed in Army camps, there exist conditions requiring additional work in building and maintaining lateral roads and requiring additional duties by county commissioners that would not otherwise be required. Therefore the county commissioners in such counties shall each receive a salary of \$5500.00 per annum, and said salary shall be paid in equal monthly installments, three-fourths (3/4) out of the Road and Bridge Fund and one-fourth (1/4) out of the General Fund of such counties.

"Sec. 3. In all counties in this State having a population of not less than one hundred and forty thousand (140,000) nor more than two hundred and twenty thousand (220,000), according to the last preceding Federal Census or any future Federal Census, the commissioners court may employ one deputy assessor-collector of taxes in each of such counties who shall receive a salary not to exceed Thirty-six Hundred (\$3,600) Dollars per annum, payable in equal monthly installments, provided however that said deputy assessor-collector of taxes

shall possess special technical training, skill and experience as to valuations of oil and mineral bearing lands, properties and interests therein, industrial and refining plants, synthetic rubber plants, wharfs, docks and other transportation facilities, shipyards and other properties where special technical skill and training are required. The commissioners court in such counties may contract with such deputy who shall work under the assessor-collector of taxes, but such contract shall be terminable at the will of either party. To be valid any such contract of employment shall be in writing, shall be signed by the parties thereto, and shall be approved as to substance and form by the county auditor and by the county attorney. It is further provided that the commissioners court in any such counties, by order duly entered, shall be empowered to immediately terminate any such contract of employment as is provided for by this Section.

"Sec. 4. (a) In said counties in this State having a population of more than one hundred forty (140,000) thousand and less than two hundred twenty (220,000) thousand inhabitants according to the last preceding or any future Federal Census, where the Federal Government has authorized the construction of large synthetic rubber plants in addition to vast ship building enterprises, additional duties have been placed upon county officers of such counties due to such construction, necessitating and making it economically necessary that there be a central purchasing agency for such counties, and therefore a majority of a board composed of the Judges of the District Courts and the County Judge shall appoint a county purchasing agent. The county purchasing agent shall hold office for a term of two years unless removed for cause. He shall execute a bond in the sum of Ten Thousand (\$10,000) Dollars, payable to said county, for the faithful performance of his duties. He shall receive an annual salary of not less than Three Thousand (\$3,000) Dollars nor more than Forty-two Hundred (\$4200) Dollars, payable in equal monthly installments out of the County General Fund by warrant drawn on the County Treasurer by the County Auditor. Said purchasing agent may have such help, equipment, supplies and traveling expenses, with

the approval of a majority of said Board of Judges, as they may deem advisable, the amount of expenses to be approved by a majority of said Board and paid out of the County General Fund by warrant drawn on the County Treasurer by the County Auditor.

"(b) All equipment, materials, and supplies, together with the repairs of same, required, used or to be paid for out of any County Fund, shall be purchased by the county purchasing agent, upon written specifications and upon requisitions submitted by the county official or department requiring same. So far as practicable, such purchases for any office or department shall be in amounts calculated to be adequate for one year's needs. Where the total consideration on any contract is likely to be in excess of One Hundred Fifty (\$150.00) Dollars, purchases shall be made on the basis of the lowest and best bid, with the right to reject any or all bids, and a sufficient bidder's bond may be required. A complete record of bids and purchase contracts awarded shall be kept on file for not less than ten (10) years. In making such purchases the county purchasing agent shall contract in the name of the county.

"(c) When delivery is made on any purchase or repair work the county purchasing agent shall secure from the county officer or department head receiving the same a receiving memorandum in triplicate certifying that the equipment, materials, supplies, or repairs have been received in good order and according to specifications. Such receiving memorandum shall be attached to the respective invoice, rendered in triplicate, when such invoice is approved by the county purchasing agent. A copy of each of the receiving memorandum and the approved invoice shall be forwarded to the County Auditor, and a copy each shall be kept on file in the office of the county purchasing agent for not less than ten (10) years.

"(d) The county purchasing agent shall prepare and keep a perpetual inventory of all property of the county for each department and office. A copy of such inventory as of July 1 of each year shall be furnished the commissioners court and the County Auditor not later than the following July 20th. It shall be the duty of

the county purchasing agent to transfer equipment, materials, and supplies from one department or office to another in the interest of efficiency and economy.

"(e) All purchases made by such agent shall be paid for by warrants drawn by the County Auditor on the County Treasurer as now provided by law.

"(f) It shall be unlawful for any person to make any purchases of equipment, materials, supplies, or repairs for the same, other than the county purchasing agent, and no warrant shall be approved by the County Auditor in payment for any purchase not made by such agent.

"(g) Any person violating any of the provisions of Section 4 of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than Two Hundred (\$200.00) Dollars nor more than One Thousand (\$1,000) Dollars, or imprisoned in the county jail of said county for not less than thirty (30) days nor more than one (1) year, or by both such fine and imprisonment.

"Sec. 5. If any part of this Act shall be held to be unconstitutional, then all the Act shall be unconstitutional. The Legislature hereby declares that it would not have passed the remaining parts of this Act if it had known that such part or parts would be declared unconstitutional.

"Sec. 6. All laws or parts of laws in conflict with any provision of this Act are hereby repealed, unless this Act be invalid.

"Sec. 7. The fact that there exists, and the Legislature so finds to exist, conditions in certain counties wherein there are large concentrations of members of the armed forces of the United States and wherein there are situated large industrial and defense industries, all of which requires additional work and effort on the part of the county commissioners in building and maintaining adequate lateral roads; that many other duties and burdens have been placed on the county commissioners in the counties herein specified; the fact that county commissioners in counties affected by this Act are now paid salaries not commensurate with the services and duties performed by them; the fact

that certain counties have been unable to secure the services of a person possessing the necessary training, skill and experience to valuate, for tax purposes, industrial properties, real and personal properties and interests therein for the totally inadequate salary heretofore provided for by law, the fact that certain counties have been unable to obtain trained and experienced officials to handle purchasing for the small salaries now provided because of the high salaries offered by industrial and war industries located therein; the fact that all experience confirms the practice of uniform purchasing procedure and the crowded condition of the calendar create an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three several days in each House be suspended and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend S. B. No. 262 by striking out all above the enacting clause and substituting in lieu thereof the following:

"An Act fixing the compensation of certain designated county officers in certain counties; providing for the creation and operation of certain offices in certain counties; providing the methods and means by which certain officers in certain designated counties shall be selected and compensated; declaring certain acts, contained in Section 4, to be unlawful; prescribing a penalty for the violation of the provisions of Section 4 of this Act; providing a saving clause; repealing all laws or parts of laws in conflict; and declaring an emergency."

The amendments were adopted severally.

The bill was passed to engrossment.

#### Senate Bill 262 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 262 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Winfield
Lovelady	York

Absent

Moore	Weinert
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Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Winfield
Lovelady	York

Absent

Moore	Weinert
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Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Concurrent Resolution 121

On motion of Senator Winfield, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 121, Authorizing certain corrections in H. B. No. 578.

The President laid the resolution before the Senate, and it was read and was adopted.

**Committee Substitute Senate Bill 75  
on Second Reading**

On motion of Senator Winfield, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

C.S.S.B. No. 75, A bill to be entitled "An Act repealing S. B. No. 123, Acts of the Forty-sixth Legislature, Regular Session and Chapter 100, Acts of the Forty-third Legislature, First Called Session as to certain lands; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

**Committee Substitute Senate Bill 75  
on Third Reading**

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 75 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Winfield
Lovelady	York

Absent

Moore	Weinert
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Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Winfield
Lovelady	York
Martin	

Nays—1

Aikin

Absent

Moore	Weinert
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Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**Senate Bill 363 on First Reading**

Senator Lanning moved that the rule prescribing limitations relative to the introduction of bills after the first 60 calendar days of the session be suspended, to permit the introduction of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Ramsey
Cotten	Shivers
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lovelady	York
Martin	

Absent

Morris

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The following bill then was introduced, read first time, and referred to the committee indicated:



By Senator Lanning:

S. B. No. 363, A bill to be entitled "An Act relating to the salaries of all State officers except the salaries and other compensation of district judges and except those Constitutional State officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court, and the Court of Criminal Appeals out of the fees of office; and specifically repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

To Committee on Finance.

#### Reports of Standing Committees

Senator Vick, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 320, have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed.

VICK, Chairman.

Senator Moffett, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
April 26, 1943.

Hon. John Lee Smith, President of the Senate

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 334, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Vice-Chairman.

Senator Stone, by unanimous consent, submitted the following report at this time:

Austin, Texas,  
April 13, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence to whom was re-

ferred H. B. No. 44, have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be printed.

STONE, Chairman.

#### Motion to Take up Senate Bill 186

Senator Lovelady moved that the regular order of business be suspended to take up for consideration at this time:

S. B. No. 186, A bill to be entitled "An Act granting the State Board of Education authority to adopt books in sets or series form suitable for use as supplementary readers and/or reference books or textbooks covering science, biology and related scientific subjects, such books to be of such form, composition and content to be suitable for use as textbooks in Junior and Senior High Schools; granting authority to said Board to contract for such books from one (1) to six (6) years; and declaring an emergency."

The motion was lost by the following vote:

Yeas—12

Beck	Lovelady
Brownlee	Moffett
Graves	Morris
Hazlewood	Ramsey
Jones	Weinert
Lane	York

Nays—12

Aikin	Mauritz
Bullock	Metcalfe
Chadick	Stone
Cotten	Sulak
Lanning	Vick
Martin	Winfield

Absent

Moore	Shivers
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Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 309 on Second Reading

Senator Morris moved that the regular order of business be suspended to take up for consideration at this time:

H. B. No. 309, A bill to be entitled "An Act amending Article 2673, Re-

vised Statutes of 1925, as amended by Chapter 278, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

The motion prevailed by the following vote:

Yeas—24

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Bullock	Moffett
Chadick	Morris
Cotten	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lovelady	York

Absent

Moore Shivers

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

#### House Bill 309 on Third Reading

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 309 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Morris
Chadick	Ramsey
Cotten	Shivers
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lovelady	York
Martin	

Absent

Moore

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Morris
Chadick	Ramsey
Cotten	Shivers
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lovelady	York
Martin	

Absent

Moore

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### Conference Report on House Bill 10

Senator Vick moved that the report of the Conference Committee on H. B. No. 10 (submitted on yesterday) be adopted.

The report was adopted by the following vote:

Yeas—21

Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Shivers
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Nays—3

Aikin	Lanning
Beck	

Absent

Metcalf	Ramsey
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**Absent—Excused**

Fain  
Formby  
Kelley

Lemens  
Spears

**House Bill 416 on Second Reading**

On motion of Senator Weinert, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 416, A bill to be entitled "An Act appropriating out of the State Highway Fund \$6,151.15 to pay the principal and interest due to John W. Goodrum on that certain judgment rendered in his favor by the Court of Civil Appeals in and for the First Supreme Judicial District of Texas at Galveston on the 8th day of January, 1942, for the principal sum of \$4,175.00, with interest thereon at 6% per annum from the 1st day of April, 1935; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

**House Bill 416 on Third Reading**

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 416 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

**Absent—Excused**

Fain  
Formby  
Kelley

Lemens  
Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Bill 362 on Second Reading**

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 362 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

**Absent—Excused**

Fain  
Formby  
Kelley

Lemens  
Spears

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

**Senate Bill 362 on Third Reading**

The President then laid S. B. No. 362 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Motion to Take up Senate Bill 198**

Senator Jones moved that the regular order of business be suspended to take up for consideration at this time:

S. B. No. 198, A bill to be entitled "An Act to amend Section 2, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, as amended by Section 2, Chapter 23, Acts of the Fifth Called Session of

the Forty-first Legislature, as amended by Section 3, Chapter 110, Acts of the Regular Session of the Forty-seventh Legislature, so as to provide that the owner of any motor bus may register said bus if he so desires with the State Highway Department through the County Tax Collector of any county through which the motor bus company operates according to its fixed schedule rather than in the county in which the owner resides; and declaring an emergency."

The motion was lost by the following vote:

Yeas—8

Aikin	Lovelady
Brownlee	Moffett
Chadick	Ramsey
Hazlewood	Vick
Jones	

Nays—17

Beck	Moore
Bullock	Morris
Cotten	Shivers
Graves	Stone
Lane	Sulak
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalfe	

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### Committee Substitute Senate Bill 216 on Second Reading .

On motion of Senator Bullock, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

C.S.S.B. No. 216, A bill to be entitled "An Act to appropriate funds out of the General Revenue Fund of the State of Texas to pay for the costs of giving college entrance examinations by the State Superintendent of Public Instruction for the remaining biennium of 1942-43 and for the regular biennium of 1943-45; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

On motion of Senator Bullock, and by unanimous consent, the caption of

the bill was amended to conform to the body of the bill.

The bill was passed to engrossment.

#### Committee Substitute Senate Bill 216 on Third Reading

Senator Bullock moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 216 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lanning
Formby	Spears
Kelley	

**Senate Joint Resolution 7 on  
Third Reading**

The President laid before the Senate on its third reading:

S. J. R. No. 7, Proposing to amend the Constitution of the State of Texas, by adopting a new Section, which shall provide that the Court of Criminal Appeals of Texas may sit at any time during the year for the transaction of business, and that its term shall begin and end with each calendar year; repealing existing provisions in conflict therewith; providing for the holding of an election; prescribing the form of ballot; directing the Governor to issue the necessary proclamation; and making an appropriation.

The resolution was read third time.

The resolution failed to pass by the following vote:

**Yeas—8**

Aikin	Metcalf
Beck	Moffett
Lanning	Moore
Mauritz	Sulak

**Nays—18**

Brownlee	Martin
Bullock	Morris
Chadick	Ramsey
Cotten	Shivers
Graves	Stone
Hazlewood	Vick
Jones	Weinert
Lane	Winfield
Lovelady	York

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

**Bills Tabled**

On motion of Senator Stone, S. B. No. 74 was tabled.

On motion of Senator Metcalfe, S. B. No. 94 was tabled.

On motion of Senator Winfield, S. B. No. 339 was tabled.

**Senate Bill 211 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 211, A bill to be entitled "An Act amending Section 57, of the

Certificate of Title Act as the same was amended by the Acts of the Forty-seventh Legislature, Regular Session, Chapter 187, Section 6, page 345; and declaring an emergency."

The bill was read second time.

Senator Graves offered the following amendment to the bill:

Amend S. B. No. 211 by striking out all of lines 35 and 36, and inserting in lieu thereof the following:

"In any event shall be by him remitted to the Road and Bridge Fund of his county."

The amendment was adopted.

The bill was passed to engrossment.

**Senate Bill 211 on Third Reading**

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 211 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—26**

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—26**

Aikin	Hazlewood
Beck	Jones
Brownlee	Lane
Bullock	Lanning
Chadick	Lovelady
Cotten	Martin
Graves	Mauritz

Metcalf	Stone
Moffett	Sulak
Moore	Vick
Morris	Weinert
Ramsey	Winfield
Shivers	York

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of  
the Senate.

Sir: I am directed by the House to  
inform the Senate that the House has  
passed the following bill and resolu-  
tion:

The House has adopted the Confer-  
ence Committee report on H. B. No.  
10, by a vote of 70 yeas, 48 nays.

In compliance with request of the  
Senate, the House is returning H. B.  
No. 9 to Senate for correction.

H. J. R. No. 3, Proposing an amend-  
ment to the Constitution of the State  
of Texas by adding a new Section  
to Article 16, to be known as Section  
51-a, so as to provide that a single  
man or single woman may acquire a  
homestead, providing that the same  
shall be used for the purposes of a  
home, and providing that existing  
provisions of that constitution shall  
be construed in conformity herewith,  
except that a single man or single  
woman shall not be entitled to a  
business homestead.

By a vote of 102 yeas, 22 nays.

H. B. No. 443, A bill to be entitled  
"An Act authorizing and empowering  
the Board of Regents of the Univer-  
sity of Texas to levy a compulsory  
student fee for the purpose of oper-  
ating, maintaining, and improving the  
Texas Union Building at the Univer-  
sity of Texas, fixing the amount of  
said fee, and authorizing the auditor  
of the University of Texas to collect  
the same, and providing the purposes  
for which said fee shall be used, and  
placing the control of the fees in the  
hands of the Board of Directors of  
the Texas Union Building, and pro-  
viding for a budget for the operation

of said building; and declaring an  
emergency."

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

**House Bills and Joint Resolution on  
First Reading**

The following House bills and joint  
resolution, received from the House  
today, were laid before the Senate,  
read first time, and referred to the  
committees indicated:

H. B. No. 230, to Committee on  
Oil, Gas, and Conservation.

H. B. No. 443, to Committee on  
Education.

H. J. R. No. 3, to Committee on  
Constitutional Amendments

**Session to Consider Local and  
Uncontested Bills**

Senator Lovelady moved that the  
Senate hold a session at 11:30 o'clock  
a. m. Friday, April 30, 1943, to con-  
sider local and uncontested bills.

(Senator Winfield in the Chair.)

The motion prevailed.

**House Bill 602 on Second Reading**

On motion of Senator Cotten, and  
by unanimous consent, the regular  
order of business was suspended to  
take up for consideration at this time:

H. B. No. 602, A bill to be entitled  
"An Act amending Subsection (14)  
of Section 1, Subsection 3 of Section  
3, Subsection 1 of Section 5, Subsec-  
tion 2 of Section 7, Subsections 1, 5,  
7, and 8 of Section 8, and Section 10  
of S. B. No. 47, Acts of the Forty-  
fifth Legislature, Regular Session  
(carrying into effect Section 48a of  
Article III of the Constitution of  
Texas, which established a Teacher  
Retirement System of Texas), as  
amended by H. B. No. 1016, Acts of  
the Forty-seventh Legislature, Reg-  
ular Session (which H. B. No. 1016  
amended Sections 1, 5, 6, 7, and 8 of  
said S. B. No. 47), by changing and  
adding provisions so as to provide that  
in time of war and for twelve months  
thereafter time spent by members of  
said Retirement System in the Armed  
Forces of the United States of Amer-  
ica, the Armed Forces Reserve, their  
auxiliaries, the American Red Cross,  
or in war work under certain condi-  
tions, shall not be construed as ab-  
sent from service but shall count to-  
wards membership service under the

Act; etc.; and declaring an emergency."

The Presiding Officer laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time.

Senator Lovelady offered the following amendment to the bill:

Amend H. B. No. 602 by inserting after the word "work" and the comma in Section 2, the following: "or (3) who shall hold and serve in any elective office of this State."

Amend caption of H. B. No. 602 by inserting after the word "conditions" and the comma, of the caption, "who shall hold and serve in any elective office of this State."

Senator Cotten raised the point of order that the amendment is not germane to the original purposes of the bill.

The Presiding Officer (Senator Winfield in the Chair) overruled the point of order.

On motion of Senator Cotten, the amendment was tabled.

The bill was passed to third reading.

#### House Bill 602 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 602 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### Committee Substitute House Bill 136 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 136, A bill to be entitled "An Act amending Article 2911 Revised Civil Statutes providing for the teaching of the effects of alcohol and narcotics in all grades of the public schools, colleges and universities of Texas that are wholly or in part supported by public funds; and declaring an emergency."

The bill was read second time.

Senator Lovelady offered the following amendment to the bill:

Amend H. B. No. 136 by striking out the word "other" in the last line on page one of the Committee substitute.

The amendment was adopted.

The bill was passed to third reading by the following vote:

Yeas—18

Aikin	Lovelady
Beck	Martin
Bullock	Mauritz
Chadick	Metcalf
Graves	Moffett
Hazlewood	Morris
Jones	Shivers
Lane	Stone
Lanning	Winfield

## Nays—6

Brownlee	Sulak
Cotten	Vick
Ramsey	Weinert

## Absent

Moore	York
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## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**Motion to Place Committee Substitute House Bill 136 on Third Reading**

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 136 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

## Yeas—17

Aikin	Martin
Beck	Mauritz
Bullock	Metcalfe
Chadick	Moffett
Hazlewood	Morris
Jones	Shivers
Lane	Stone
Lanning	Winfield
Lovelady	

## Nays—8

Brownlee	Sulak
Cotten	Vick
Graves	Weinert
Ramsey	York

## Absent

Moore

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

(President in the Chair.)

**Reports of Standing Committees**

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic to whom was referred H. B. No. 475, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

METCALFE, Chairman.

Austin, Texas,  
April 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education to whom was referred H. B. No. 434, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

LOVELADY, Chairman.

**Senate Concurrent Resolution 51**

Senator Shivers, by unanimous consent, offered at this time the following resolution:

S. C. R. No. 51, Granting permission to Mrs. M. E. Thomason and Mrs. Louise Thomason to sue the State.

The resolution was read; and, on motion of Senator Shivers, and by unanimous consent, it was considered immediately.

The resolution was adopted.

**Adjournment**

On motion of Senator Martin, the Senate, at 4:50 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.



**In Honor of**  
**Lieutenants Jack Mathis and**  
**Rhude M. Mathis, Jr.**

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(Senate Resolution 85)

Senator Metcalfe offered the following resolution:

Whereas, In every important engagement since America was attacked at Pearl Harbor, there have been men of Texas proudly in the forefront giving their all for the protection of humanity; and

Whereas, Texas has furnished many individual heroes and surely will continue to supply leaders and courageous youth who will carry forward our share in bringing to a successful conclusion this struggle for the preservation of civilization; and

Whereas, One of the bright stars who recently gave his life without hesitation to further our cause was Lieutenant Jack Mathis of San Angelo, Texas, who, although mortally wounded by a burst of enemy shells and with one arm nearly torn off, crawled back to his bombsight, carefully adjusted it, as his life blood ebbed away, and dropped his bombs squarely on the target; and

Whereas, Since the untimely death of Lieutenant Jack Mathis, his brother, Lieutenant Rhude M. Mathis, Jr. has taken up where his brother left off and is now flying on the same plane and using the same equipment to carry on the tradition established, thereby again showing the world that in America and Texas we have a breed of men whose intrepid bravery and unflinching fealty to duty are such that even death itself cannot balk accomplishment of their purpose, and, that where one falls, his brother is trained and ready to spring to carry forward the torch, until eventual victory is brought to preserve those freedoms and bring that peace which Americans are united and determined to preserve; now, therefore, be it

Resolved by the Senate of the State of Texas, That we express our praise and unstinted commendation of the unselfish bravery and fearless loyalty of such true Texans as Jack and Rhude Mathis, the belief that the memory of these young heroes shall be revered through the years and our confidence that such sacrifices have not been in vain; and be it further

Resolved, That when the Senate adjourns today it will do so in memory of these brothers, and that a page of the Journal be set aside in their honor, and that a copy of this resolution be sent to the parents of these splendid young men.

METCALFE.

The resolution was read and was adopted unanimously.

## In Memory of Jay York Jones

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(Senate Resolution 86)

Senator Cotten offered the following resolution:

Whereas, On June 21, 1942, the Grim Reaper called from this earth Jay York Jones, young grandson of our beloved Secretary, Bob Barker, and only son of Mrs. Lillian Barker Jones of Austin, and brother of Miss Edna Lee Jones. Death, who with an equal hand, knocks at the door of palace and hovel, has made his first call to this home and has called Judy, as he was affectionately known by his family and friends; and

Whereas, Judy was in manhood's morning, and in love with life, when he passed to that land of silence. He loved the beautiful and was loved by all with whom he came in contact. His young heart beat strong and cheerfully and has left a hopeful impulse behind it in the world and has bettered the traditions of manhood by having passed this way for a little while; and

Whereas, Life is a narrow vale between two Eternities, and we strive in vain to look beyond the heights; we cry aloud, but the only answer is the echo of our wailing cry. Scientists tell us that a star may have gone to dust hundreds of years ago, yet so powerful is the light that it will continue to illuminate the world for ages, and so it is with Judy. So lovely was his life that it has left with us a joy that even the loneliness of the days without him cannot obliterate. The purple glow of the westward skies has faded; the flowers have closed their petals in the dewy slumbers of the night; every wing is folded in the bower; every voice is hushed in tribute to a youthful life that has passed into that Eternal sleep. Let us be consoled with the thought that

"There is no Death, the stars go down  
To rise upon some fairer shore  
And there in Heaven's jeweled crown  
They'll shine forevermore."

Whereas, In San Antonio, where trod his childish feet and where he bloomed into young manhood, kind friends laid him to rest in a sacred spot where the flowers bloom and the songbirds pour forth their carols and evening vespers, a lovely mausoleum for a noble son of priceless attainments; now, therefore, be it

Resolved, That the Senate of Texas express its regrets over the death of Jay York Jones, and extend its unbounded sympathy and warmest consolation to his family; and, be it further

Resolved, That a copy of this resolution be forwarded to each member of Jay York Jones' family, and that a page of the Senate Journal be set aside in his memory.

COTTEN.

Signed—Aikin, Beck Brownlee, Bullock, Chadick, Fain, Formby, Graves, Hazlewood, Jones, Kelley, Lane, Lanning, Lemens, Lovelady, Martin, Mauritz, Metcalfe, Moffett, Moore, Morris, Ramsey, Shivers, Spears, Stone, Sulak, Vick, Weinert, Winfield, and York.

On motion of Senator Mauritz, the names of all Senators were added to the resolution as signers thereof.

The resolution was adopted unanimously.

## In Memory of Mary Evelyn Jones

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(Senate Resolution No. 89)

Senator Stone offered the following resolution:

Whereas, On October 6, 1942, at Rochester, Minnesota, there was called from this earth Mary Evelyn Jones, lovable and talented daughter of our colleague Senator Charles R. Jones. Well might thou, O Death, rest on thy laurels, for never in thy career hast thou knocked at the door of one who could be so illy spared as Mary Evelyn. Open wide, ye heavenly gates, and let her in! The changes wrought by death are in themselves sharp and final and terrible in their consequences and stand alone in man's experience and have no parallel upon this earth.

Whereas, Mary Evelyn was in the springtime of life when she passed to that land of eternal silence. She loved the beautiful and was deeply touched with music. She pitied the weak and with loving hands helped those whom she could. She strewed flowers in the pathway of many. These same friends came and brought garlands of roses and lilies to her grave, that she might sleep beneath a bower of flowers that she loved so well.

Whereas, Mary Evelyn's passing is but another fulfillment of the truth that Death is as necessary as birth and that all that breathe must die. In the language of the Poet, "Into the night, go all."

Whereas, Mary Evelyn was born and reared in Fannin County and was educated in the schools of Texas. She graduated from Bonham High School and later attended Mary Hardin-Baylor at Belton and Howard-Payne College at Brownwood, where she was beautifully educated in the classics of literature. They were as familiar to her as the parables and proverbs of the Bible. She possessed an undying love for her friends and her fellowman. She possessed a heart of pure gold, and little children as well as those of all ages were attracted by her kindly words and deeds. She always had an open hand for those in actual need. She was the soul of honor, and her character was without a blemish. She was a simple and devout Christian. Such a worthy life is a rare example in its living, and departing, leaves behind a sweet and hallowed benediction; now, therefore, be it

Resolved, That all members of the Senate of the State of Texas do hereby express to the family of Mary Evelyn Jones our deepest sympathy and regret in the passing of this beautiful character, and that a copy of this resolution be sent to the members of her family.

STONE,  
GRAVES,  
VICK,  
AIKIN.

Signed—Beck, Brownlee, Bullock, Chadick, Cotten, Fain, Formby, Hazlewood, Kelley, Lane, Lanning, Lemens, Lovelady, Martin, Mauritz, Metcalfe, Moffett, Moore, Morris, Ramsey, Shivers, Spears, Sulak, Weinert, Winfield, and York.

On motion of Senator Martin, and by unanimous consent, the names of all Senators were added to the resolution as signers thereof.

The resolution was adopted unanimously.